## AGENDA - REGULAR MEETING OF CITY COUNCIL - March 23 2010

- 1. 7:00 p.m. roll call.
- 2. Invocation.
- 3. Pledge of allegiance.
- 4. Comments from the public, limited to five minutes, on matters not on the regular agenda.
- 5. Consent Agenda (any item placed on the consent agenda shall be removed and taken up as a separate matter, if so requested by any member of Council, otherwise all items will be voted on with one (1) motion).
  - a. Approval of minutes of the previous meeting and dispensing with reading of minutes.
  - b. Consider amending Sections 10-3-92 and 10-3-98 of the Zoning Ordinance Second Reading.
  - c. Consider a request from Karen Flagle of Blue Ridge Insurance Services, Inc. to rezone a 1.24 acre parcel from R-2 to R-3 at 116 Reservoir Street.
  - d. Consider amending Section 6-2-32(b) of the City Code (Solid Waste Collection and Disposal) Second Reading.
  - e. Consider supplemental appropriation for the Police Department in the amount of \$17,104.25 Second Reading.
- 6. Public Hearing Consider 2010-2011 Community Development Block Grant (CDBG) Action Plan.
- 7. Public Hearing Consider 2008/2009 CDBG Amendments.
- 8. Presentation of School Budget
- 9. Presentation on Davis, California trip
- 10. Consider resolution authorizing the purchase of 715 North Main Street by the Harrisonburg Redevelopment and Housing Authority
- 11. Harrisonburg Downtown Renaissance quarterly report
- 12. Consider a street closing request from Eastern Mennonite University
- 13. Consider a resolution ending the "Local Emergency Declaration"
- 14. Consider request for reallocation of present budget estimates in the amount of \$192,614.88.

- 15. Consider supplemental appropriation to the Public Work Department in the amount of \$75,000 First Reading.
- 16. Consider supplemental appropriation for the Public Works Department in the amount of \$330,000 First Reading.
- 17. Consider supplemental appropriation for the Parks and Recreation Department in the amount of \$2,200.00 First Reading.

#### 18. Other Matters:

a. Council and Staff

#### 19. Boards and Commissions

- a. Central Shenandoah Planning District Commission Stacy Turner term will expire on June 30, 2010.
- b. Central Shenandoah Planning District Commission Richard Baugh term will expire on June 30, 2010.
- c. Central Shenandoah Planning District Commission Carolyn Frank term will expire on June 30, 2010.
- d. Industrial Development Authority Jennifer Carpenter-Stovall unexpired term will expire on April 24, 2010.

#### REGULAR MEETING

March 9, 2010



At a regular meeting held this evening at 7:00 p.m., there were present: Mayor Kai Degner; City Manager Kurt Hodgen; Assistant City Manager Evan Vass; City Attorney Earl Q. Thumma, Jr.; Vice-Mayor Richard A. Baugh; Council Members David Wiens, Carolyn W. Frank and Ted Byrd; City Clerk Yvonne "Bonnie" Ryan, MMC; and Chief of Police Donald Harper.

Council Member Byrd gave the invocation, and Mayor Degner led everyone in the Pledge of Allegiance.

<u>Josie Kinkade</u>, Director of Cats Cradle, said that the Rockingham-Harrisonburg SPCA has the highest death rate of any contracted city or county animal pound in the state of Virginia. Blaming the public has become a convenient excuse for the shelter failure to save more animals. According to state requirement it is perfectly fine to kill every single stray cat or dog that enters the shelter. The City has more than a legal responsibility, it has a moral imperative to care for its stray animals. The citizens of Harrisonburg don't want a shelter that just meets requirements.

Bucky Berry announced that several businesses in the City are donating money to pay for new seats and to paint letters on a newly painted 1954 Ladder Truck owned by HFD.

Council Member Byrd offered a motion to approve the consent agenda, including approval of the minutes and the second reading of a supplemental appropriation for the Public Works Department. The motion was seconded by Vice-Mayor Baugh and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Mayor Degner

Absent - None

Planning and Community Development Director Turner presented for Council's consideration amending Section 10-3-92 and 10-3-98 of the Zoning Ordinance. The amendment will clearly specify that all structures in excess of 35 feet in height have increased rear and side yard setback regulations within the B-2, General Business District and the M-1, General Industrial District. The side and rear setbacks are ten (10) feet, except on the side of a lot abutting a residential district, then thirty (30) feet; provided that for any building greater than thirty-five (35) feet in height which abuts a residential district, then one (1) additional foot of setback is required for each foot about thirty-five (35) feet. Mrs. Turner reviewed the definition of a "building". This amendment would replace the word "building" with "structure". Planning Commission has recommended approval.

At 7:15 p.m., Mayor Degner closed the regular session temporarily and called the evening's first public hearing to order. The following notice appeared in the Daily News-Record Monday, February 22, and Monday, March 1, 2010.

#### NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold several public hearings on Tuesday, March 9, 2010 at 7:00 p.m., in the City Council Chambers, 409 South Main Street to consider the following:

Ordinance Amendment – Section 10-3-92 and 10-3-98 (Setbacks for Structures Taller than 35 feet)

Public hearing to consider a request to modify Sections 10-3-92 and 10-3-98 of the Zoning Ordinance. The amendment would clearly specify that all structures in excess of 35 feet have increased rear and side yard setback regulations within the B-2, General Business District and the M-1, General Industrial District.

Maps and other information are available for review in the Community Development Department, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m.

All persons interested will have an opportunity to express their views at these public hearings. Any individual requiring auxiliary aids, including signers, in connection with the public hearing shall notify the City Manager at least five (5) days prior to the date of the meeting.

CITY OF HARRISONBURG Kurt D. Hodgen City Manager

Mayor Degner called on anyone desiring to speak for or against amending the Zoning Ordinance. There being no one desiring to be heard, the public hearing was declared closed at 7:16 p.m., and the regular session reconvened. Vice-Mayor Baugh offered a motion to amend this ordinance as presented. The motion was seconded by Council Member Wiens and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Mayor Degner

Absent - None

Planning and Community Development Director Turner presented a request from Karin Flagle of Blue Ridge Insurance Services, to rezone a 1.24 +/- acre parcel owned by the Commonwealth of Virginia from R-2, Residential District to R-3, Multiple Dwelling Residential District. The property is located at the intersection of Reservoir Street and Franklin Street (extended) and is improved with a single story brick building. The Comprehensive Plan designates this area as Public/Semi-Public. Mrs. Turner reviewed the surrounding uses in the area. If rezoned, the applicant plans to relocate her insurance business to the site, which would occupy slightly more than half of the facility. The remaining portion of the building would be leased to other non-residential uses permitted within the R-3 zoning district. Interior renovations are planned for the facility; however, no additions or major exterior renovations would be made. There is ample room for parking and the applicant intends to have the parking lot resurfaced and relined to provide the required number of spaces. The applicant has offered several proffers: 1) Multi-family and townhouse dwellings would not be permitted. 2) Residential units would be limited to occupancy by a family or two unrelated individuals. Planning Commission recommended approval of the rezoning request.

At 7:27 p.m., Mayor Degner closed the regular session temporarily and called the evening's first public hearing to order. The following notice appeared in the Daily News-Record Monday, February 22, and Monday, March 1, 2010.

#### NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold several public hearings on Tuesday, March 9, 2010 at 7:00 p.m., in the City Council Chambers, 409 South Main Street to consider the following:

Rezoning - 116 Reservoir Street (Blue Ridge Insurance Services)

Public hearing to consider a request from contract purchaser Karen Flagle of Blue Ridge Insurance Services, Inc. to rezone a 1.24 +/- acre parcel owned by the Commonwealth of Virginia from R-2, Residential District to R-3, Multiple Dwelling Residential District. The parcel is located at 116 Reservoir Street and can be found on tax map 27-G-7. The Comprehensive Plan designates this area as Public / Semi-Public. This designation includes both existing and proposed public and semi-public use. They include lands owned or leased by the Commonwealth of Virginia (except for institutions of higher learning), the federal government, the City of Harrisonburg, and other governmental organizations. Examples of uses included in this category are public schools, libraries, City Hall and City administrative and support facilities. The Zoning Ordinance states that the R-2, Residential District is intended for medium-density, single-family and two-family residential development. The residential density ranges for R-2 are single-family, 7,000 sq. ft. minimum and two-family, 5,500 sq. ft/unit. The R-3, Multiple Dwelling Residential District is intended for medium- to high-density residential development and other uses intended to respect the residential character, which are aesthetically compatible within the district by means of architectural expression, landscaping, and restrained traffic flow. The residential density ranges for R-3 are single-family, 6,000 sq. ft. minimum; two-family, 4,000 sq. ft/unit; multi-family, 3,000 sq. ft. minimum per unit; townhouses, 2,000 sq. ft. minimum per unit; and other uses, 6,000 sq. ft. minimum.

Maps and other information are available for review in the Community Development Department, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m.

All persons interested will have an opportunity to express their views at these public hearings. Any individual requiring auxiliary aids, including signers, in connection with the public hearing shall notify the City Manager at least five (5) days prior to the date of the meeting.

## CITY OF HARRISONBURG Kurt D. Hodgen City Manager

Mayor Degner called on anyone desiring to speak for or against this rezoning request.

<u>Wayne Brown</u> said that his Mother owns a parcel on Franklin Street. There is property on the corner of Reservoir Street and Franklin Street that is currently for sale. He questioned whether if that property is sold could it be converted to apartments or townhouses.

Butch Strawderman reviewed the plans Ms. Karin Flagle has for the property. There being no others desiring to be heard, the public hearing was declared closed at 7:33 p.m., and the regular session reconvened. Vice-Mayor Baugh offered a motion to approve this rezoning request with the submitted proffers. The motion was seconded by Council Member Wiens and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Baugh
Council Member Frank
Council Member Wiens

Mayor Degner

Absent - None

Mayor Degner announced that a staff presentation and one public hearing would be held for agenda items number eight through eleven regarding a rezoning and special use permits for property at 715 North Main Street.

Planning and Community Development Director Turner presented a request from Lewis G. Bagwell and George E. Shifflett to rezone a .318 acre parcel from R-2, Residential District to M-1C, General Industrial District Conditional. The parcel is located at 715 North Main Street and can be found on tax map 40-T-10. The Comprehensive Plan designates this area as Commercial. Mrs. Turner reviewed the surrounding uses in the area. The Harrisonburg Redevelopment and Housing (HRHA), the contract purchaser for the subject property, is requesting to rezone a parcel at 715 North Main Street from R-2, Residential District to M-1C, General Industrial District Conditional. In anticipation of the rezoning being approved, they are concurrently requesting three special use permits to allow a boarding and rooming house, a religious, educational, charitable and benevolent organization, and for approval to permit fewer than the required number of parking spaces. In April 2002, Lewis G. Bagwell, who is still the property owner, successfully rezoned the parcel, because he wanted to alleviate issues with non-

conformancy and to potentially convert the subject property's building into a duplex. Although physical renovations were carried out, the improvements were never fully completed and the unit As the contract purchaser, HRHA would own the was never officially converted to a duplex. property, but would work in cooperation with individuals from the New Community Project (NCP) and Our Community Place (OCP) to operate "a supportive housing and sustainable living project." The plan is to provide a secure housing location for people who may be struggling with homelessness, drug use, and/or instability. While providing such shelter, the plan is to focus the residents' life toward a meaningful and positive future by way of therapeutic micro-enterprise projects. Mrs. Turner reviewed the proffers submitted by the applicant. Any future uses added to the M-1 Zoning Classification would not be permitted. Also, as an additional general proffer, no buses will be parked on the property. They also proffered that they would not make use of the general industrial sign regulations which would permit a fairly large sign on the lot. Instead they will use the R-1 Single Family Neighborhood sign regulations. Mrs. Turner briefly reviewed the City ordinances regarding rooming houses and boarding houses. A portion of the backyard will be used for gardening or other activities. Staff is supporting the rezoning to M-1 with the conditions that were proffered and the special use permits applied for as well with the following conditions: 1) The board and rooming house along with the uses permitted by the proffers and the reduced parking privileges shall be applicable only for uses the same as the applicants' proposed. 2) The property shall supply no less than five parking spaces. 3) If in the opinion of Planning Commission or City Council, parking issues become a nuisance, the reduced parking special use permit could be recalled for further review, which could lead to the need for additional parking spaces, conditions, restrictions, or the revocation of the permit. Planning Commission recommended approval of the rezoning request.

At 7:49 p.m., Mayor Degner closed the regular session temporarily and called the evening's public hearing to order. The following notice appeared in the Daily News-Record Monday, February 22, and Monday, March 1, 2010.

#### NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold several public hearings on Tuesday, March 9, 2010 at 7:00 p.m., in the City Council Chambers, 409 South Main Street to consider the following:

Rezoning - 715 North Main Street

Public hearing to consider a request from Lewis G. Bagwell and George E. Shifflett with representative Steven T. Heitz and Harrisonburg Redevelopment and Housing Authority to rezone a .318 +/- acre parcel from R-2, Residential District to M-1C, General Industrial District Conditional. The parcel is located at 715 North Main Street and can be found on tax map 40-T-10. The Comprehensive Plan designates this area as Commercial. This designation states that these areas include uses for retail, wholesale, or service functions. These areas are found along major travel corridors and in the Central Business District of the City. The Zoning Ordinance states that the R-2, Residential District is intended for medium-density, single-family and two-family residential development. The residential density ranges for R-2 are single-family, 7,000 sq. ft. minimum and two-family, 5,500 sq. ft/unit. The M-1, General Industrial District is intended primarily for manufacturing,

processing, storage, and distribution activities, which are not properly associated with, nor compatible with, residential and institutional development. No minimum lot size restrictions exist in the M-1, General Industrial District.

Special Use Permit - 715 North Main Street (Reduced Parking 10-3-97 (8))

Public hearing to consider a request from Lewis G. Bagwell and George E. Shifflett with representative Steven T. Heitz and Harrisonburg Redevelopment and Housing Authority for a special use permit per Section 10-3-97 (8) of the Zoning Ordinance to permit fewer than the required number of parking spaces for any use. The property, zoned M-1C, General Industrial District Conditional, is located at 715 North Main Street and can be found on tax map 40-T-10.

Special Use Permit - 715 North Main Street (Charitable and Benevolent Uses 10-3-97 (9))

Public hearing to consider a request from Lewis G. Bagwell and George E. Shifflett with representative Steven T. Heitz and Harrisonburg Redevelopment and Housing Authority for a special use permit per Section 10-3-97 (9) of the Zoning Ordinance to allow charitable and benevolent uses. The property, zoned M-1C, General Industrial District Conditional, is located at 715 North Main Street and can be found on tax map 40-T-10.

Special Use Permit - 715 North Main Street (Boarding and Rooming house 10-3-97 (13))

Public hearing to consider a request from Lewis G. Bagwell and George E. Shifflett with representative Steven T. Heitz and Harrisonburg Redevelopment and Housing Authority for a special use permit per Section 10-3-97 (13) of the Zoning Ordinance to allow a boarding and rooming house. The property, zoned M-1C, General Industrial District Conditional, is located at 715 North Main Street and can be found on tax map 40-T-10.

Maps and other information are available for review in the Community Development Department, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m.

All persons interested will have an opportunity to express their views at these public hearings. Any individual requiring auxiliary aids, including signers, in connection with the public hearing shall notify the City Manager at least five (5) days prior to the date of the meeting.

CITY OF HARRISONBURG Kurt D. Hodgen City Manager

Mayor Degner called on anyone desiring to speak for or against this rezoning request and special use permit.

Bucky Berry said there are drugs and alcohol abuse in the area. He insisted that every individual staying in the house should be tested for drugs and alcohol abuse.

Michael Wong, Executive Director of the Harrisonburg Redevelopment and Housing Authority, said he was available to answer any questions regarding the rezoning request or special use permit requests. This service will meet needs in our community.

Tom Benevento said this kind of program is an extension or reflection of many people in the City that want to care for each others, build a community, care for our planet, and create a better world. The project will provide a home for people in need and will build a model sustainability living. It is designed to have an on-site staff person who lives with the individuals in the house. Ron Copeland said this neighborhood has many people living in homes with drug and alcohol abuse. This is an attempt to create a space for individuals with drug and alcohol abuse that will have supervision and also be geared toward recovery with meetings and work. There being no others desiring to be heard, the public hearing was declared closed at 7:58 p.m., and the regular session reconvened. Council Member Frank offered a motion to all four requests as stated. The motion was seconded by Council Member Wiens and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Mayor Degner

Absent - None

The next item of business was a presentation of Bluestone Trail Phase 1 concept overview and schedule. Public Works Planner Thanh Dang said that the Bluestone Trail is a shared use path proposed to run parallel to I-81 mostly alongside an HEC easement extending from Port Republic Road to Stone Spring Road. Staff has developed a schedule for creating engineering design plans and taking steps necessary to make the Bluestone Trail a shovel ready project in anticipation of potential grant funds that may become available. Ms. Dang reviewed Bluestone Trail schedule timeline and noted a change which should read Stone Spring Road to Port Republic Road. The environmental reviews and permits will be done through this process too. The project will begin March 15, 2010 and it is proposed to have all of the documents and everything completed to make this project shovel ready by April 1, 2011.

City Manager Hodgen presented for Council's consideration <u>amending Section 6-2-32(b)</u> of the City Code. Staff is requesting amendment of this section to require removal of unacceptable cans and refuse within 24 hours as opposed to the currently stipulated three days in order to ensure City residents correct refuse concerns in a timely manner. Under the current code, any City resident is able to leave his/her refuse out on the curb for three days after being tagged without incurring penalties. By the time Public Works has the opportunity to follow up to ensure appropriate measures were taken, the respective collection date for the violator may have arrived again. Enforcement has been difficult. This should assist in bringing consistency to our program, efficiency in collection service, and improve overall curb appeal for the City. Council Member Byrd offered a motion to approve this ordinance for a first reading as presented. The motion was seconded by Vice-Mayor Baugh and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Mayor Degner

Absent - None

Police Chief Harper presented a request for a supplemental appropriation for the Police Department. These funds were reimbursed from a Division of Motor Vehicles grant. The funds will be used for officer's overtime, training and travel, radar units, in-car system and intoxicated meters. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$17,104.25 chge. to: 1000-33524 Federal DMV grant

\$ 3,378.73 approp. to: 1000-310231-41020 Salaries/wages OT 815.52 approp. to: 1000-310631-41020 Salaries/wages OT 382.00 approp. to: 1000-310631-45530 Training/travel 7,138.00 approp. to: 1000-310231-46100 Police supplies 5,390.00 approp. to: 1000-310431-48151 Motor Vehicles & Equip.

The motion was seconded by Council Member Frank and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Mayor Degner

Absent - None

Council Member Byrd said that the Harrisonburg Education Foundation (HEF) has requested changing the date of the Sherry B. Anderson 5K Walk and Run Race from April 24, 2010 to May 15, 2010. A specific race route has not been established, but it is anticipated running on Garbers Church Road and utilizing areas of the high school. The start time for the race will be 9:00 a.m. This is a major fund raiser for the Harrisonburg Education Foundation. Council Member Byrd offered a motion directing staff to work with the Harrisonburg Education Foundation on changing the date and location of the Sherry B. Anderson 5K Walk and Run Walk Race. HEF first race course choice is the area of Harrisonburg High School on Garbers Church Road on May 15, 2010. The motion was seconded by Council Member Frank and approved with a unanimous voice vote.

Mayor Degner said that the Shenandoah Valley Spay/Neuter Clinic has submitted a proposal to the City to build its own animal shelter on North Liberty Street. The Society for the

Prevention of Cruelty to Animals (SPCA) is submitting its annual budget request to provide animal shelter services for Harrisonburg and Rockingham County as well. It was pointed out that the City has never communicated to the SPCA in an official or contractual way that we want to hold euthanasia rates at a certain level. The City has a significant capital investment in the SPCA building. If the City does not have an animal shelter we will be out of compliance with a whole fleet of laws many which have some fairly swift and nasty penalties. The City is currently meeting the stated minimum requirements. There are a lot of emotions and concerns regarding euthanasia for unwanted dogs and cats. However, the City should try to rectify this situation in a way that wouldn't leave the SPCA unfunded. Council would like for these two groups to meet with a third party mediator that has some training in this area to resolve this issue and come to an agreement to save animals. Mayor Degner agreed to draft a letter to both organizations asking what they would need to be able to participate in a dialog together and then based upon those responses come up with a process that is appropriate. Following further discussion and comments, Council agreed to pay a mediator to coordinate a meeting between the Shenandoah Valley Spay/Neuter Clinic and the Harrisonburg/Rockingham SPCA and hopefully have a report by the next Council meeting. It was suggested asking Rockingham County to share in the expense of the mediation.

At 8:37 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK	MAYOR

cc: City Council City Manager Public Library

	Meeting Date: March 23, 2010 Meeting Type: Regular X Special			
Requestor:  Manager City Attorney _X Department Other  Police Works	Item: Consider a supplemental appropriation for the Police Department in amount of \$17,104.25 – Second Reading.			
Reviewed:  _X Manager City Attorney _X Department Other  Police Works  Recommend:  YES: _X_  NO:  X Manager City Attorney X Department Other  Police Works	Review: These funds were reimbursed from a Division of Motor Vehicles grant. They will be used for officer's overtime, training and training and travel, four (4) radar units, one (1) in-car system, and two (2) intoxicated meters.			
March23.50	Attachments: 1. Supplemental Appropriation form.			

## CITY OF HARRISONBURG, VIRGINIA REQUEST FOR: SUPPLEMENTAL APPROPRIATIONS For Fiscal Year Ended June 30, 2010

From:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	33524	Federal DMV grant	\$17,104.25
		16 16 18 18	· · · · · · · · · · · · · · · · · · ·
	e.		
<b>.</b>			
To:	¥	4	<u> </u>
FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	310231-41020	salaries/wages OT	3,378.73
	310631-41020	salaries/wages OT	815.52
	310631-45530	training/travel	382.00
¥	310231-46100	Police supplies	7,138.00 5,390.00
	310431-48151	motor vehicles & Equip	17,104.25
	1 u	* 8	17,104.25
Reason:	Vehicles grant	s reimbursed through the Division of 54AL-2010-0501543774 - Selective Enning and travel, radar units, in-catters.  Head of Department	forcement.
	Funds Available	Director of Finance	2/24/10 Date
Recommend	ded & Approved	City Manager	a/ay/10 Date
		City Council Approval:	3-9-10
		s s	(1st reading)
		City Council Approvals	
		City Council Approval:	(2nd reading)
	8		(====3,
FINANCE DE	EPARTMENT'S POST		
		NAME DATE	JV #

	Meeting Date: March 23, 2010 Meeting Type: Regular_X Special			
Requestor:  Manager City Attorney Department _X Other:	Item: Public Hearing – Consider 2010-2011 Community Development Block Grant (CDBG) Action Plan.			
Reviewed:  _X Manager City Attorney Department Other  Recommend:  YES: X NO:  _X Manager City Attorney Department _X Other	Review: This is the second of two Public Hearings required by HUD to receive citizen comments on the CDBG Action Plan for the 2010-2011 Program Year. The entitlement amount will most likely be approximately \$546,091. Funding recommendations will change slightly once the final entitlement award is announced.  Staff will make a short presentation outlining the Action Plan (in particular the recommendations for funding), to be followed by a Public Hearing. The Public Hearing will be followed by a 30 day Public Comment period before Council considers approval of the Action Plan/Funding Recommendations.  There is no action needed on this item at this time.			
March23.66	Attachments: 1. Public Hearing notice 2. Tentative Schedule for 2010-2011 CDBG Application Process 3. Funding Recommendations spreadsheet			



## CITY OF HARRISONBURG

2010-2011 ACTION PLAN AND AMENDMENTS TO THE 2008-2009 ACTION PLAN PUBLIC HEARINGS/COMMENT NOTICE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The City of Harrisonburg will hold public hearings on Tuesday, March 23, 2010, at 7:00 PM in the City Council Chambers, 409 South Main Street, in order to receive citizen input regarding the 2010-2011. Action Plan and Amendments to the 2008-2009 Action Plan for the Community Development Block Grant (CDBG) Program, Citizen participation is essential to the City's involvement in the Federal Department of Housing & Urban Development's (HUD) CDBG Program. The Action Plan serves as the planning document for addressing overall community development and housing needs that will utilize the estimated \$546,091 entitlement of CDBG funding available to the City for 2010-2011. Projects selected to receive this funding will be included in the Action Plan. The Amendments to also be considered at the Public Hearings are as follows:

\$18,973 that remains in funding from the 2008-2009 Public Utilities

\$18,973 that remains in funding from the 2008-2009 Public Utilities Green and Gay Street Sanltary Sewer Rehabiliation Project will be moved to the NEW 2008-2009 Parks and Recreation Cecil F. Gilkerson Handicapped Accessible Entryway project.
\$12,075 that remains in funding from the 2008-2009 Public Utilities Green and Gay Street Sanltary Sewer Rehab project will be moved to the NEW 2008-2009 Public Utilities Green St. Sanltary Sewer Rehabilitation Project: Phase 2.

All citizens and organizations are invited to attend the public hearing to comment orally or in writing regarding funding priorities for the 2010-2011 Action Plan and 2008-2009 amendment. The City of Harrisonburg will make reasonable accommodations and services necessary for sensory-impaired and disabled citizens at the public meeting. Additionally, translation services may be offered upon request and availability. Persons requiring such accommodations/ services should contact Ande Banks at (540) 432-8923 at least three working days in advance of the meeting.

Copies of the Action Plan and the Amendment are available at the City Manager's Office, 345 South Main Street, Harrisonburg between 8:00 AM and 5:00 PM, Monday through Friday, and at the reference desk at the Massanutten Regional Library for a 30 day public comment and review period which begins March 23, 2010. The Action Plan and Amendment Document will also be posted on the City website at www.ci.harrisonburg.va.us on this date. Written comments may be mailed to Kristin E. McCombe, grants Compliance Officer, Office of City Manager, 345 South Main Street, Harrisonburg, VA 22801. Comments may also be submitted by calling (540) 432-8926 or emailing CDBG@ci.harrisonburg.va.us. Comments are welcomed prior to the start of the review period, but all comments should be received no later than 5:00pm on April 23, 2010, to be considered.

# **TENTATIVE Schedule for 2010-2011 CDBG Program**

January 19, 2010	Advertise RFP in DNR & on website for grant proposals.
January 26, 2010	Council Meeting/Public Hearing #1 (get input regarding what types of projects should be funded, what need is, explain purpose of grant and answer questions) – 7:00 PM
February 17, 2010	Grant Application Deadline – receipt by 5:00 PM
March 4, 2010	Selection Committee Meeting, Consideration of Proposals, & Development of Action Plan
March 23, 2010	Council Meeting/Public Hearing #2 (present budget, 2010 Action Plan to Council & Public & open 30 day Public Comment Period – 7:00 PM
April 23, 2010	All public comments must be received by 5:00 PM on April 23, 2010 to be considered.
May 11, 2010	Council Meeting/Council Final Approval of 2010 CDBG Budget/Action Plan (Council to consider approval of budget/Annual Action Plan)*
May 15, 2010	Annual Action Plan due to HUD
June 2010	<b>HUD Approval of 2010 CDBG Action Plan</b>

Funding of specific projects is not final until approved by HUD.

## DRAFT FUNDING RECOMMENDATIONS FOR 2010 - 2011 CDBG PROGRAM

Estimated \$550,000 (2010-2011 CDBG + \$3909.04 rollover from previous plan year)

Estimated \$550,000 (2010-2011 CDBG + \$3909.04 rollover from previous plan yea		
Housing & Property Improvements		
Organization	Requested	Recommended
HRHA - Harrison Heights Renovation	\$140,000.00	\$140,000.00
VAIL - Home Accessibility Modifications	\$10,000.00	\$10,000.00
Mercy House: Safe-T-Element	\$4,500.00	\$4,500.00
Total	\$154,500.00	\$154,500.00
Community & Public Facilities		
Organization	Requested	Recommended
CITY PROJECT - (PU) E. Wolfe St. Sanitary Sewer Rehabilitation	\$59,513.00	\$59,513.00
CITY PROJECT - (PW) Pleasant Hill Rd. Shoulder reconstr./ constr.	\$120,000.00	\$120,000.00
CITY PROJECT - (PW) W. Bruce St. Sidewalk	\$27,000.00	\$27,000.00
CITY PROJECT - (PW) N. High and W. Wolfe traffic signal	\$170,000.00	\$0.00
CITY PROJECT - Westover Park Parking Lot Security Camera System	\$16,000.00	\$16,000.00
CITY PROJECT - Gilkerson Act. Ctr./ Westover Pool Security Cam. Sys.	\$17,000.00	\$9,132.00
Camp StillMeadows: Bathroom and Office	\$8,000.00	\$8,000.00
The ARC: Door replacement	\$10,000.00	\$10,000.00
Friendly City Food Co-Op	\$80,000.00	\$0.00
Total	\$507,513.00	\$249,645.00
Administration (20% MAX)		\$110,000.00
Organization	Requested	Recommended
	\$110,000.00	\$110,000.00
City Admin Costs		
Total	\$110,000.00	\$110,000.00
Public Services (15% of 2010-2011 CDBG MAX)		\$82,500.00
Organization	Requested	Recommended
CITY PROJECT - (Fire) Child Passenger Safety Seat Program	\$20,000.00	\$0.00
Salvation Army	\$50,000.00	\$0.00
Big Brothers Big Sisters: Education Series	\$7,200.00	\$7,200.00
VPAS - Meals on Wheels	\$10,000.00	\$10,000.00
NewBridges: Immigrant's Academy	\$8,655.00	\$8,655.00
Gemeinschaft: Aftercare Program Housing	\$25,000.00	\$0.00
IIHHS, JMU: Open Doors to Health and Hope for the Homeless	\$10,000.00	\$10,000.00
Our Community Place - Our Community Works Supportive Employment	\$11,640.00	\$0.00
Total	\$142,495.00	\$35,855.00
GRAND TOTAL	\$914,508.00	\$550,000.00

	Meeting Date: March 23, 2010 Meeting Type: Regular_X Special			
Requestor:  Manager City Attorney Department _X Other:	Item:	Public Hearing to consider 2008/2009 CDBG Amendments.		
Reviewed:  _X Manager City Attorney Department Other	Review:	This Public Hearing is required by HUD to receive citizen comments on Community Development Block Grant Amendments to the 2008/2009 Action Plans. Staff proposes that unused funds in the amount of \$31,048 be moved from the 2008/2009 Public Utilities Green/Gay Street Sewer Rehabilitation Project to two NEW projects: \$18,973 for the installation of handicapped accessible doors at the Cecil F. Gilkerson Activities Center		
Recommend:  YES: _X_  NO:  Manager City Attorney Department Other		\$12,075 for the Green St. Sanitary Sewer Rehabilitation Project (Phase 2.0)  Staff will make a short presentation, to be followed by a Public Hearing and a 30 day Public Comment period.  There is no action needed on this item at this time.		
March23.67	Attachme	ents: 1. Public Hearing notice 2. Tentative Schedule for Amendment Process.		



#### CITY OF HARRISONBURG

2010-2011 ACTION PLAN AND AMENDMENTS TO THE 2008-2009 ACTION PLAN PUBLIC HEARINGS/COMMENT NOTICE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The City of Harrisonburg will hold public hearings on Tuesday, March 23, 2010, at 7:00 PM in the City Council Chambers, 409 South Main Street, in order to receive citizen input regarding the 2010-2011 Action Plan and Amendments to the 2008-2009 Action Plan for the Community Development Block Grant; (CDBG) Program, Citizen participation is essential to the City's involvement in the Federal Department of Housing & Urban Development's (HUD) CDBG Program. The Action: Plan serves as the planning document for addressing overall community development and housing needs that will utilize the estimated \$546,091 entitlement of CDBG funding available to the City for 2010-2011. Projects selected to receive this funding will be included in the Action Plan. The Amendments to also be considered at the Public Hearings are as follows:

\$18,973 that remains in funding from the 2008-2009 Public Utilities \$18,975 that remains in funding from the 2008-2009 Public Utilities. Green and Gay Street Sanitary Sewer Rehabiliation Project will be moved to the NEW 2008-2009 Parks and Recreation Cecil F. Gilkerson Handicapped Accessible Entryway project.
\$12,075 that remains in funding from the 2008-2009 Public Utilities Green and Gay Street Sanitary Sewer Rehab project will be moved to the NEW 2008-2009 Public Utilities Green St. Sanitary Sewer Rehabilitation Project: Phase 2.

All citizens and organizations are invited to attend the public hearing to comment orally or in writing regarding funding priorities for the 2010-2011 Action Plan and 2008-2009 amendment. The City of Harrisonburg will make reasonable accommodations and services necessary for sensory-impaired and disabled citizens at the public meeting. Additionally, translation services may be offered upon request and availability. Persons requiring such accommodations/ services should contact Ande Banks at (540) 432-8923 at least three working days in advance of the meeting.

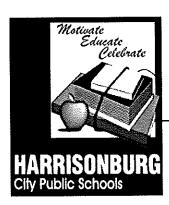
Copies of the Action Plan and the Amendment are available at the City Manager's Office, 345 South Main Street, Harrisonburg between 8:00 AM and 5:00 PM. Monday through Friday, and at the reference desk at the Massanutten Regional Library for a 30 day public comment and review-period which begins March 23, 2010. The Action Plan and Amendment Document will also be posted on the Action Plan and Amendment Document will also be posted on the City website at www.ct.harrisonburg.va.us on this date. Written comments may be mailed to Kristin E. McCombe, grants Compliance Officer, Office of City Manager, 345 South Main Street, Harrisonburg, VA 22801. Comments may also be submitted by calling (540) 432-8926 or emailing CDBG@ci.harrisonburg.va.us. Comments are welcomed prior to the start of the review period, but all comments should be received no later than 5:00pm on April 23, 2010, to be considered.

# **TENTATIVE Schedule for April 2010 Amendments**

March 16, 2010	Advertise Amendments in DNR.
March 23, 2010	Council Meeting/Public Hearing – 7:00 PM This is also the beginning of the 30 day Public Comment Period.
April 23, 2010	All public comments must be received by 5:00 PM on April 23, 2010 to be considered.
May 11, 2010	Council Meeting/Council Final Approval of Amendments (Council to consider approval of Amendments)*

<sup>\*</sup> Although Amendments are submitted to HUD following Council approval, formal HUD approval is not required.

	Meeting Date: March 23, 2010 Meeting Type: Regular X Special
Requestor:  Manager City Attorney	Item: Presentation of School Budget
Department _X_ Other School Board	
Reviewed:  Manager City Attorney Department Other	Review: Dr. Donald Ford will present the proposed School Budget for 2010-2011.
Recommend:	
YES: NO:	
Manager City Attorney Department Other	
March23.111	Attachments: 1. Supporting documents.



317 South Main Street Harrisonburg, Virginia 22801-3606 540-434-9916 • Fax 540-434-5196

TO: Members of City Council

FROM: Don Ford

Superintendent, Harrisonburg City Schools

SUBJECT: 2010-2011 School Budget

**DATE:** March 17, 2010

At the March 23, 2010, City Council meeting, I will formally present to you an overview of the 2010-2011 Harrisonburg City School budget. Prior to then I will ensure that Mr. Hodgen has the entire budget document. Our school board officially adopted the school budget on March 16.

I have included a copy of budget assumptions, summary pages from the budget that give a breakdown of anticipated expenditures and revenues, and some information about large budget items.

At this time last year I presented to you a budget for 2009-2010 that cut over \$3 million from the school operational budget. This year I will be returning to you to present a budget that further reduces our school operational budget by \$1.5 million when compared to the current year's adopted budget and by over \$3 million when compared to the current year's amended budget. Budget preparation has been difficult both because of the need to find additional areas to cut and because of the ongoing uncertainty of state revenues. In fact, because we still do not have final state figures, we will likely have to make adjustments in next year's school budget before you actually approve it.

The challenges facing our school division have not changed and I am proud of our teachers, administrators, and other staff members who work so hard to ensure that our students receive a quality education. Unfortunately we are unable again this year to provide a salary increase for these fine educators because of our economic conditions.

Thank you for the support and commitment you have always provided for our schools. I know you recognize the value of providing a good education for our students. I look forward to meeting with you next week to present the school budget.

## Harrisonburg City Public Schools 2010-2011 Budget Preparation Budget Assumptions

#### Revenues:

- 1. The budget is based on a projected average daily membership of 4,317 in 2010-2011. This number is used for projecting revenue.
- 2. For the 2010-2012 biennium, the school division composite index (local ability to pay) is .4133.
- 3. State revenues are based on the General Assembly's adopted budget (with some adjustments and estimations as of this date).
- 4. The sales tax revenue estimate from the General Assembly's adopted budget is approximately \$300,000 higher than estimated in FY 10, which may be unrealistically high. As a result, the sales tax revenue estimate has been lowered.
- 5. Federal revenues are estimates based on current funding and projections provided by the state. In some instances, projected revenues from NCLB Title programs have been reduced, increased, or level funded. It will be several months before actual numbers are available from the state. American Reinvestment and Recovery Act (ARRA) funds are included in the budget in the amount of \$890,622.
- 6. An "unappropriated fund balance" is maintained by the school board to cover unanticipated, non-recurring expenses that may occur during a school year. It has been determined that an unappropriated fund balance of one percent of the current operating budget should be maintained.

## **Expenditures:**

- 1. Expenditures may not exceed revenues. Should anticipated revenue be reduced, a corresponding decrease in expenditures will occur.
- 2. The budget proposal includes no salary nor step adjustment increases. Actual salaries as of November 30, 2009 were used to estimate 2010-2011 salaries.
- 3. The budget assumes a professional VRS rate of 9.84%, which is a decrease from the current 13.81%.
- 4. There will be a 5% decrease in health insurance costs and no change in dental insurance rates for 2010-2011.

#### **School Nutrition:**

The School Nutrition budget is considered separately.

#### Harrisonburg City Public Schools 2010-2011 Operational Budget Revenue Summary Report by Source

Source	Approved 2009-2010	2010-2011 Request	\$ Change	% Change	% of Total
State	22,407,123	21,404,305	-1,002,818	-4.48%	41.14%
Federal*	3,268,142	4,196,778	928,636	28.41%	8.07%
Other	1,325,706	1,318,721	-6,985	-0.53%	2.53%
Local	25,107,585	25,107,585	0	0.00%	48.26%
State Fiscal Stab. Funds	1,384,142	0	-1,384,142	100.00%	0.00%
Grand Totals:	53,492,698	52,027,389	-1,465,309	-2.74%	100.00%

<sup>\*</sup> Federal Revenues include \$890,622 in American Reinvestment and Recovery Act (ARRA) funds in FY 2011.

Source	Amended 2009-2010	2010-2011 Request	\$ Change	% Change	% of Total
State	22,432,108	21,404,305	-1,027,803	-4.58%	41.14%
Federal**	4,320,326	4,196,778	-123,548	-2.86%	8.07%
Other	1,325,706	1,318,721	-6,985	-0.53%	2.53%
Local	25,107,585	25,107,585	0	0.00%	48.26%
State Fiscal Stab. Funds	1,384,142	0	-1,384,142	100.00%	0.00%
Fund Balance Carryover	395,309	0	-395,309	-100.00%	0.00%
Capital Projects	216,560	0	-216,560	-100.00%	0.00%
Grand Totals:	55,181,736	52,027,389	-3,154,347	-5.72%	100.00%

<sup>\*\*</sup> Federal Revenues include American Reinvestment and Recovery Act (ARRA) funds in FY 2010 and FY 2011.

## Harrisonburg City Public Schools 2010-2011 Operational Budget Expenditure Summary Report by Function

Source	Approved 2009-2010	2010-2011 Request	\$ Change	% Change	% of Total
61 Instruction	41,466,910	40,099,645	-1,367,265	-3.30%	77.07%
62 Admin/Attend/Health	2,827,404	2,723,823	-103,581	-3.66%	5.24%
63 Pupil Transportation	1,925,652	1,941,167	15,515	0.81%	3.73%
64 Operation & Maintenance	4,810,987	4,327,106	-483,881	-10.06%	8.32%
66 Facilities	2,000	0	-2,000	-100.00%	0.00%
68 Technology	2,459,745	2,935,648	475,903	19.35%	5.64%
Grand Totals:	53,492,698	52,027,389	-1,465,309	-2.74%	100.00%

Source	Amended 2009-2010	2010-2011 Request	\$ Change	% Change	% of Total
61 Instruction	42,096,528	40,099,645	-1,996,883	-4.74%	77.07%
62 Admin/Attend/Health	2,935,933	2,723,823	-212,110	-7.22%	5.24%
63 Pupil Transportation	1,931,652	1,941,167	9,515	0.49%	3.73%
64 Operation & Maintenance	5,199,176	4,327,106	-872,070	-16.77%	8.32%
66 Facilities	2,000	0	-2,000	-100.00%	0.00%
68 Technology	3,016,447	2,935,648	-80,799	-2.68%	5.64%
Grand Totals:	55,181,736	52,027,389	-3,154,347	-5.72%	100.00%

## Harrisonburg City Public Schools 2010-2011 School Nutrition Budget Revenue Summary Report by Source



Source	Approved 2009-2010	2010-2011 Request	\$ Change	% Change	% of Total
State	44,782	58,446	13,664	30.51%	2.35%
Federal	1,434,300	1,667,520	233,220	16.26%	67.16%
Meal Receipts	824,997	757,052	-67,945	-8.24%	30.49%
Grand Totals:	2,304,079	2,483,018	178,939	7.77%	100.00%

Source	Amended 2009-2010	2010-2011 Request	\$ Change	% Change	% of Total
State	44,782	58,446	13,664	30.51%	2.35%
Federal	1,461,455	1,667,520	206,065	14.10%	67.16%
Meal Receipts	824,997	757,052	-67,945	-8.24%	30.49%
Grand Totals:	2,331,234	2,483,018	151,784	6.51%	100.00%

## Harrisonburg City Public Schools 2010-2011 School Nutrition Budget Expenditure Summary Report by Function



Source	Approved 2009-2010	2010-2011 Request	\$ Change	% Change	% of Total
65 Food Svc and Other Non-Inst. 68 Technology	2,294,079 10,000	2,450,018 33,000	155,939 23,000	6.80% 230.00%	98.67% 1.33%
Grand Totals:	2,304,079	2,483,018	178,939	7.77%	100.00%

Source	Amended 2009-2010	2010-2011 Request	\$ Change	% Change	% of Total
65 Food Svc and Other Non-Inst.	2,321,234	2,450,018	128,784	5.55%	98.67%
68 Technology	10,000	33,000	23,000	230.00%	1.33%
Grand Totals:	2,331,234	2,483,018	151,784	6.51%	100.00%

## Harrisonburg City Public Schools 2010-2011 Budget Proposal

#### Revenues

State funds are projected to decrease by \$1,002,818. In addition, State Fiscal Stabilization Funds will not be available in FY 11. The 2009-2010 budget includes \$1,384,142 in SFSF funds.

Federal funds are projected to increase by \$928,636. This increase is largely represented by American Reinvestment and Recovery Act (ARRA) funds.

The proposed school budget shows level funding from the City in the amount of \$25,107,585.

## **Expenditures**

- No salary nor step increases
- Reduction of professional VRS rate from current 13.81% to estimated 9.84%
- Decrease of 5% in health insurance premiums (HCPS pays 65% of employee health care plans)
- Removal of 1 FTE position from the budget
- Reduction of \$396,000 in utilities estimates based on historical data and cost avoidance measures currently underway
- Reduction of \$108,000 in tuition to Rockingham County for Massanutten Technical Center participation (per Rockingham County)
- Reduction of \$223,000 in elementary summer school. The 2011 elementary summer school program will be suspended.
- Reduction of \$70,000 in materials and supplies for schools and programs.
- Reduction of \$20,000 in division athletic expenditures (not programs)
- Reduction of \$49,000 in division literacy materials
- Reduction of \$27,000 in operations and maintenance services
- Reduction of \$33,000 in alternative education services
- Increase of \$261,000 in textbook expenditures (FY 11 is a large textbook adoption year)
- Increase of \$35,000 in special education transportation (per Harrisonburg Department of Public Transportation)
- Increase is retiree health insurance based on estimated increase in number of retirees
- Increase in Triennial Census expenditures of \$23,000

## **School Nutrition**

- No meal increases are projected for FY 2011.
- A 2% salary increase is included for the School nutrition cafeteria workers.

	Meeting l	Date: March 23, 2010 Meeting Type: Regular X Special
Requestor:  Manager City Attorney Department Other	Item:	Presentation on Davis, California trip
Reviewed:  Manager City Attorney Department Other	Review:	Mayor Kai Degner, Planning Commissioner MuAwai Da'Mes, Public Works Planner Thanh Dang, and city residents Tom Benevento, Thomas Jenkins, and Lara Mack traveled to Davis, California on March 3 through March 8 to study their bicycle infrastructure and culture. While in California they also visited Sacramento and San Francisco.  The group will update Council on their trip and findings.
Recommend:  YES:  NO: Manager  City Attorney  Department  Other		
March23.9	Attachme	ents:

	Meeting D	Pate: March 23, 2010 Meeting Type: Regular X Special
Requestor:  Manager City Attorney DepartmentX Other  HRHA	Item:	Consider resolution authorizing the purchase of 715 North Main Street by the Harrisonburg Redevelopment and Housing Authority
Reviewed:  Manager City Attorney Department _X Other	Review:	The Harrisonburg Redevelopment and Housing Authority (HRHA) has decided to purchase property located at 715 North Main Street. The Authority intends to use the property to support its mission of providing safe and sanitary dwellings to persons of low income, as outlined during the March 9 presentation to Council. Also at the March 9 Council meeting, a number of public hearings were held relative to the use of the property, including a rezoning request and several special use permit requests, all of which were approved by Council.
Recommend:		The attached resolution must be approved by Council in order for HRHA to acquire the property.
YES: _X_		
NO: —		
Manager City Attorney DepartmentX Other HRHA		
March23.666	Attachme	ents: 1. Resolution authorizing purchase of property



# City of Harrisonburg, Virginia

Office of the Mayor

345 South Main Street Post Office Box 20031 Harrisonburg, VA 22802 (540) 432-7701 / FAX (540) 432-7778 Kai Degner Mayor

# RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY BY THE HARRISONBURG REDEVELOPMENT AND HOUSING AUTHORITY

WHEREAS, the Harrisonburg Redevelopment and Housing Authority (the "Authority") has decided to purchase certain real property improved by a single family dwelling from Lewis G. Bagwell and George E. Shifflett, which property is located at 715 North Main Street in the City of Harrisonburg (hereinafter "the Property"); and,

WHEREAS, the Authority intends to hold the Property pursuant to its mission of providing safe and sanitary dwellings to persons of low income, as set forth in the Housing Authorities Law, Chapter 1, Title 36 of the Virginia Code; and,

WHEREAS, Code of Virginia Section 36-19.2 requires that the Authority obtain the approval of the City of Harrisonburg (the "City") prior to purchasing the Property as it is the current intention of the Authority to use such Property for housing purposes; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Harrisonburg, Virginia, that:

- 1. The City approves the foregoing recitals, which are incorporated in, and deemed a part of, this Resolution as if fully set forth herein.
- 2. The City authorizes and approves the purchase of the Property by the Authority and the Authority's utilization of such Property as a housing project or for such other uses as the Authority shall deem appropriate and which is permitted by law.
- 3. This authorization and approval applies only to the Authority's obligation to obtain City approval pursuant to Code of Virginia Section 36-19.2 and does not constitute a waiver of any City ordinance with respect to the Property, including but not limited to compliance with City zoning and building codes.

This resolution shall take effect immediately upon its adoption.

READ AND ADOPTED: March 23, 2010

#### **CERTIFICATE**

Record of the roll-call vote by the City Council of the City of Harrisonburg, Virginia, upon reading on a resolution titled "RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY BY THE HARRISONBURG REDEVELOPMENT AND HOUSING AUTHORITY" taken at a regular meeting of the City Council held on March 23, 2010:

	AYE	NAY	ABSTAIN	ABSENT
Kai Degner, Mayor				
Richard Baugh, Vice- Mayor				
David Wiens				
Ted Byrd				
Carolyn W. Frank				

(SEAL)

Mayor, City of Harrisonburg, Virginia

ATTEST:

Clerk, City Council of the City of

Dated: March 23, 2010

Harrisonburg, Virginia

	Meeting Date: March 23, 2010 Meeting Type: Regular X Special
Requestor:  Manager City Attorney DepartmentX Other  HDR	Item: Harrisonburg Downtown Renaissance quarterly report
Reviewed:  X Manager City Attorney Department Other	Review: Alexis Morehouse and Kris Ludwig will update Council on the progress and accomplishments of their respective areas of responsibility of HDR and report on future goals and plans.
Recommend:	
YES: NO:	
<ul><li>Manager</li><li>City Attorney</li><li>Department</li><li>Other</li></ul>	
March23,200	Attachments:

	Meeting Date: March 23, 2010 Meeting Type: Regular X Special
Requestor:  Manager City Attorney Department _X Other  EMU	Item: Consider a street closing request from Eastern Mennonite University
Reviewed: X Manager City Attorney Department Other	Review: EMU is making their annual request to close Park Road in conjunction with commencement exercises. This year's commencement will take place on Sunday, May 2. Park Road will be closed from Mount Clinton Pike to Parkwood Drive from about 12:45 PM until 3:00 PM.  All appropriate City departments have signed off on the request. A letter that outlines the request and includes a completed "Street Closing Form" is attached.
Recommend:  YES: _X_  NO:  Manager City Attorney Department Other	
March23.95	Attachments: 1. Letter of Request



February 19, 2010

Kris Ludwig Special Events Manager 212 S Main St. Harrisonburg VA 22801

Dear Ms. Ludwig:

On behalf of Eastern Mennonite University, I am requesting closure of Park Road during our Commencement Exercises on May 2, 2010. This closure is requested to help minimize disruption of commencement exercises by passing vehicles. This will also enhance safety of the many pedestrians in the area.

We propose to close Park Road beginning at Mt. Clinton Pike and continuing northward to Parkwood Drive. The duration of closure would be from 12:45 P.M. until 3:00 P.M. We will staff each barricade in order to provide emergency access if needed. Signage will be provided alerting travelers on Chicago Avenue of the closure of Park Road. The traffic from north Park View will be able to use Parkwood Drive to access Virginia Avenue.

We feel that this closure will improve the quality and safety of the commencement experience for all involved. Thank you for your consideration.

Sincerely,

C. Eldon Kurtz

cc: James Baker, Director of Public Works Ron Piper, V.P. for Finance, EMU Loren Swartzendruber, President, EMU This is the html version of the file <a href="http://www.harrisonburgdowntown.org/shared/Editor/assets/Street\_Closing\_Form2.doc">http://www.harrisonburgdowntown.org/shared/Editor/assets/Street\_Closing\_Form2.doc</a>.

Google automatically generates html versions of documents as we crawl the web.

## The City of Harrisonburg

## Street Closing Form

This application is required for all parties requesting the **closure** of a public **street** for any scheduled event of a non-emergency nature. Any additional information supplemental to this **form** must be physically attached for staff review. Submit completed forms to **Harrisonburg** Downtown Renaissance, 212 South Main **Street**, **Harrisonburg**, **VA** 22801. INCOMPLETE FORMS WILL NOT BE CONSIDERED. Hand delivered copies must be submitted between the hours of 9:00 AM and 5:00 PM Monday through Friday, excluding any state or national holidays. Any **street closure** must be approved by **City** Council. This **form** must be submitted at least 45 calendar days prior to the scheduled event. A scoping meeting may be requested by **City** staff prior to Council approval.

In the event of a scheduling conflict, the applicant will be notified. Closings are approved on a first-come, first serve basis. The **City** will not approve more than one scheduled event on the same calendar day.

#### PART I

State the name of the organization requesting closure: Eastern Mennonite University  Contact Name: C. Eldon Kurtz  Contact Phone Number: 540-432-4390  Contact Address: 1200 Park Road, Harrisonburg VA 22802  B. Event Planning Requirements  State the name and planned date of the event: EMU Commenicement - May 2, 2010  Indicate what hours the event will occur: 12:45-3:00 p.m.  List all streets that are requested for closure (attach list on additional sheet if needed):  1. Park Road from Mt. Clinton Pike north to Parkwood Drive  2.  3.	A CONTRACTOR OF THE PROPERTY O
Contact Name: C. Eldon Kurtz  Contact Phone Number: 540-432-4390  Contact Address: 1200 Park Road, Harrisonburg VA 22802  B. Event Planning Requirements  State the name and planned date of the event: EMU Commenicement - May 2, 2010  Indicate what hours the event will occur: 12:45-3:00 p.m.  List all streets that are requested for closure (attach list on additional sheet if needed):  1. Park Road from Mt. Clinton Pike north to Parkwood Drive  2.  3.	A. Organization Information
Contact Phone Number: 540-432-4390  Contact Address: 1200 Park Road, Harrisonburg VA 22802  B. Event Planning Requirements  State the name and planned date of the event: EMU Commenicement - May 2, 2010  Indicate what hours the event will occur: 12:45-3:00 p.m.  List all streets that are requested for closure (attach list on additional sheet if needed):  1. Park Road from Mt. Clinton Pike north to Parkwood Drive  2.  3.	State the name of the organization requesting closure: Eastern Mennonite University
Contact Address: 1200 Park Road, Harrisonburg VA 22802  B. Event Planning Requirements  State the name and planned date of the event: EMU Commenicement - May 2, 2010  Indicate what hours the event will occur: 12:45-3:00 p.m.  List all streets that are requested for closure (attach list on additional sheet if needed):  1. Park Road from Mt. Clinton Pike north to Parkwood Drive  2.  3.	Contact Name: C. Eldon Kurtz
B. Event Planning Requirements  State the name and planned date of the event: EMU Commenicement - May 2, 2010  Indicate what hours the event will occur: 12:45-3:00 p.m.  List all streets that are requested for closure (attach list on additional sheet if needed):  1. Park Road from Mt. Clinton Pike north to Parkwood Drive  2.  3.	Contact Phone Number: 540-432-4390
B. Event Planning Requirements  State the name and planned date of the event: EMU Commenicement - May 2, 2010  Indicate what hours the event will occur: 12:45-3:00 p.m.  List all streets that are requested for closure (attach list on additional sheet if needed):  1. Park Road from Mt. Clinton Pike north to Parkwood Drive  2.  3.	Contact Address: 1200 Park Road, Harrisonburg VA 22802
Indicate what hours the event will occur: 12:45-3:00 p.m.  List all streets that are requested for closure (attach list on additional sheet if needed):  1. Park Road from Mt. Clinton Pike north to Parkwood Drive  2.  3.	B. Event Planning Requirements
List all streets that are requested for closure (attach list on additional sheet if needed):  1. Park Road from Mt. Clinton Pike north to Parkwood Drive  2.  3.	State the name and planned date of the event: EMU Commenicement - May 2, 2010
1. Park Road from Mt. Clinton Pike north to Parkwood Drive 2. 3.	Indicate what hours the event will occur: 12:45-3:00 p.m.
2. 3. 4.	List all streets that are requested for closure (attach list on additional sheet if needed):
3. 4.	1. Park Road from Mt. Clinton Pike north to Parkwood Drive
4.	2.
	3.
C. Proof of Insurance	
	C. Proof of Insurance
Attach a copy of proof that the organization has minimum liability coverage of \$1,000,000.	Attach a copy of proof that the organization has minimum liability coverage of \$1,000,000.

#### STAFF USE ONLY

Fire Chief or	Police Chief or	Public Works Director	Downtown
designee	designee	or designee	Parking Services
Approved "	Approved "	Approved "	Approved:
Disapproved "	Disapproved "	Disapproved "	Disapproved "
Signature:	Signature:	Signature:	Signature:
Date: <u>116-10</u>	Date: 3-36-10	Bate: 2/4/10	Date: 2-24-18

# PART II - SUPPLEMENTAL/APPLICABLE INFORMATION - Please answer all applicable

questions below. Attach additional pages if sufficient room is not provided below.

1. Will any temporary structures be built or installed in conjunction with the event? If so, please specify their location(s). NO	
2. Describe in detail or submit drawings of pennants and specify their location(s), if applicable. NONE	
3. Describe any entertainment or music, along with times, location and type of performance. ANNUAL COMMEN	NC IZMIZNIT
4. Is a parade planned in conjunction with this event? If so, please describe the parade along with any other sponsors that may be involved. NO	NGEMENT
5. List any vendors/street peddlers planned along with their proposed location(s). NONE	
3. List any food sales in detail. ALL FOOD SALES ARE REGULATED BY THE VIRGINIA DEPARTMENT OF HEALTH. It is the responsibility of the applicant to receive VDH approval.	
7. Does the applicant request <b>City</b> forces to remove refuse and garbage in conjunction with this event? If not, please describe plan for removing refuse and garbage in detail.	
3. Are alcoholic beverages planned for public consumption? If so, list all vendors with location(s) and time(s) of sales. List all ABC license(s) presently held.	
9. Are fireworks planned? If so, please specify date, time, location and vendor(s). NO	
0. Are animals involved in any event? Please specify any and all types and roles.	
1. Are U.S. Flags requested on Main Street for event?	

#### Part III - APPROVAL

I certify to the best of my knowledge that the above information is true and correct.

Applicant's Signature

Date

STAFF USE ONLY

I certify that	t this is a complete application prepared for City C	ouncil review.
Special Even	nts Manager Date 2 25/10	
This event w	was approved/disapproved by City Council on the	of
City Clerk	Date	

# **Additional Comments:**

Fire Chief or designee:
west procede 20' unalitated encourse naticle as
must proceede 20' unalistructed emorgeney vehicle access through closed street,
dwd.
Police Chief or designee:
Public Works Director or designee:
<b>Downtown Parking Services:</b>

	Meeting Date: March 23, 2010 Meeting Type: Regular X Special		
Requestor:  _X Manager City Attorney Department Other	Item:	Consider a resolution ending the "Local Emergency Declaration"	
Reviewed:  _X Manager City Attorney Department Other	Review:	A "Declaration of a Local Emergency" was declared by the City Manager/Director of Emergency Services in February and confirmed by City Council on February 9, 2010. Conditions that warranted the declaration have now passed and in accordance with State law, Council must officially end the local emergency by resolution.  A copy of the resolution is attached.	
Recommend:  YES: _X_  NO:  X_ Manager City Attorney Department Other			
March23.90	Attachm	ents: 1. Resolution ending the local emergency	



# City of Harrisonburg, Pirginia

Office of the Mayor

345 South Main Street Post Office Box 20031 Harrisonburg, VA 22802 (540) 432-7701 / FAX (540) 432-7778 Kai Degner Mayor

# A RESOLUTION ENDING THE LOCAL EMERGENCY DECLARATION IN THE CITY OF HARRISONBURG

WHEREAS, on February 9, 2010, the City Council of the City of Harrisonburg declared a local emergency due to the occurrence of significant snowfalls and other dangerous conditions that had the potential to adversely affect the lives, property and safety of the residents of Harrisonburg; and

WHEREAS, in accordance with the provisions of Section 44-146.21 of the Code of Virginia, the City Council is required to take action to end the declared emergency;

**NOW, THEREFORE, BE IT RESOLVED** by the Harrisonburg City Council that the "Declaration of a Local Emergency" is hereby ended, affective immediately.

Adopted this 23rd day of March, 2010.

	BY: _	
		Kai Degner, Mayor
ATTEST:		
	Yvonne H. Ryan, MMC, City Clerk	

# **AGENDA ITEM #14**

	Meeting Date: March 23, 2010 Meeting Type: Regular_X_ Special		
Requestor:	Item: Consider request for reallocation of present budget estimates - \$192,614.88		
<ul><li>Manager</li><li>City Attorney</li><li>Department</li><li>Other:</li></ul>			
Public Works			
Reviewed:  _X Manager City Attorney _X Department Other  Public Works	Review: This request is to establish a new capital project account, the "West Market Street Railroad Crossing Upgrade", and to reallocate \$192,614.88 in funds remaining in the old "Water Street Pedestrian Bridge" capital account to the new project account.		
Recommend:			
YES: X			
NO:			
X_ Manager City Attorney _X_ Department Other Public Works			
March23.88	Attachments: 1. Supplemental Appropriation Form		

#### CITY OF HARRISONBURG, VIRGINIA

#### REQUEST FOR: REALLOCATION OF PRESENT BUDGET ESTIMATES

#### For Fiscal Year Ended June 30, 2010

From:			
FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	910141-48715	Water Street Pedestrian Bridge	192,614.88
<i>To:</i>			
FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	910141-487 <b>2</b> 5	W. Market St. Railroad Crossing Upgrade	192,614.88
	ansfer funds to the W. Mark er Street Pedestrian Bridge.	tet St. Railroad Crossing Upgrade from remain	ing funds in the
Requested by:		Head of Department	3/15/10 Date
Funds Available:		Director of Finance	3/15/10 Date
Recommended & Approved:		City Manager	3/15/10 Date
		City Council Approval:	
			(1st reading)
		City Council Approval:	N/A (2nd reading)
FINANCE DEPAR	TMENT'S POSTING		
		NAME DATE	JV #

	Meeting Date: March 23, 2010 Meeting Type: Regular_X_ Special		
Requestor:  Manager City Attorney Department Other:  Public Works	Item:	Consider supplemental appropriation to the Public Works Department - \$75,000	
Reviewed:  _X Manager City Attorney _X Department Other  Public Works	Review:	This request is to provide funds for the required 10% match to the railroad crossing upgrade. Additionally, funding is provided for pedestrian facilities and lighting in the crossing area.  This project is a railroad crossing safety enhancement and was approved as part of the Rosetta Stone expansion.	
Recommend:  YES: X  NO:  X			
March23,556	Attachmen	ats: 1. Supplemental Appropriation Form	

#### CITY OF HARRISONBURG, VIRGINIA

#### REQUEST FOR: SUPPLEMENTAL APPROPRIATION

#### For Fiscal Year Ended June 30, 2010

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000 1310	31010 34210	Amount from Fund Balance Transfer from General Fund	75,000.00 75,000.00
	2		
ε			
FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000 1310	990111-49216 910141-48725	Transfer to Capital Projects Fund W. Market Street Rail Crossing Upgrade	75,000.00 75,000.00
Reason:	To transfer funds reserved by C Crossing Upgrade capital project in code 1000-22534.	ity Council in fiscal year 2009 to the West Mark of code. These funds are currently reserved in the	et Street Railroad he General Fund
Requested I	py:	Head of Department	3/15/10 Date
Funds Avail	able:	Director of Finance	3/15/10
Recommended & Approved:		City Manager	3/15/10 Date
		City Council Approval:	
			(1st reading)
1955		City Council Approval:	(2nd reading)
		( <b>*</b> )	,

NAME

DATE

JV #

FINANCE DEPARTMENT'S POSTING

	Meeting Date: March 23, 2010 Meeting Type: Regular X Special
Requestor:  Manager City Attorney X Department Other: Public Works	Item: Consider supplemental appropriation to the Public Works Department in the amount of \$330,000 – First Reading
Reviewed:  _X Manager City Attorney _X Department Other  Public Works	Review: This request is to cover expenses related to snow and ice removal that were incurred during the current fiscal year.
Recommend:  YES: X  NO:  X Manager City Attorney X Department Other Public Works	
March 23.	Attachments: 1. Supplemental Appropriation Form

#### CITY OF HARRISONBURG, VIRGINIA REQUEST FOR: SUPPLEMENTAL APPROPRIATIONS For Fiscal Year Ended June 30, 2010

#### From:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000 1000 1117 1117	31010 34280 33201 810721-45676	Amount from fund balance Transfer from CDBG Fund Sub Total Community Development Block Grant CDBG Projects and programs Sub Total	269,000.00 61,000.00 330,000.00 12,426.00 48,574.00 61,000.00
To:		Total	391,000.00
FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000 1000 1000 1000 1000 1000 1000 100	410541-41010 410541-41020 410541-42010 410541-43320 410541-4330 410541-44302 410541-46070 410541-46140 810721-49210	Salaries and wages- Regular Salaries and wages- Overtime FICA Service contracts Maintenance & repairs- Machinery & equip CS - Power Equipment supplies CG - Fuel Repair and maintenance supplies Other operating supplies Sub Total Transfer to General Fund	2,000.00 120,000.00 9,000.00 42,000.00 5,000.00 20,000.00 6,000.00 116,000.00 330,000.00 61,000.00
		Total	391,000.00
Reason:	the snow and ice rer	ppropriation is needed to fund a projected deficit in moval budget. 61,000 is being funded by the CDBG ning expenditures will be funded by the General Fur	nd.
	Requested by	: Head of Department	Date
Recommende	Funds Available		3/16/10 Date 3/16/10 Date
		City Council Approval:	(1st reading)
		City Council Approval:	(2nd reading)
FINANCE DE	PARTMENT'S POST	INGNAME DATE	JV #

	Meeting Date: March 23, 2010 Meeting Type: Regular X Special		
Requestor:  Manager City Attorney DepartmentX Other  HRHA	Item: Consider supplemental appropriation for Parks & Recreation Department in the amount of \$2,200.00 – First Reading.		
Reviewed:  Manager City Attorney _X Department Other Parks & rec.	Review: This request is to reimburse the Blacks Run Greenway budget for expenses incurred from the planting of 22 trees around the pond at Purcell Park to improve the water quality of the pond and provide improved habitat for pond aquatic life. The costs of the tree planting has been reimbursed to the City from a Conservation/Natural Resources Grant through the Virginia Department of Conservation and Recreation.		
Recommend:  YES: _X_  NO: Manager City Attorney Department Other			
March23.233	Attachments: 1. Supplemental Appropriation form.		

# CITY OF HARRISONBURG, VIRGINIA REQUEST FOR: SUPPLEMENTAL APPROPRIATIONS For Fiscal Year Ending June 30, 2010

_			
	rn	m	
	U	111	

FUND CODE	ACCOUNT DESCRIPTION	AMOUNT
1000 32508	Conservation/Natural Resources Grant	\$2,200.00
	Total	\$2,200.00
То:		
FUND CODE	ACCOUNT DESCRIPTION	AMOUNT
1000 710971-46140	Other Operating Supplies	\$2,200.00
	Total	\$2,200.00
Reason:	To cover budget live account overage	
Requested by :		
	Head of Department	Date
Funds Available :	Director of Finance	3/8/jv Date
Recommended & Approved :	City Manager	3/9/10 Date
	City Council Approval:	
		(1st reading)
	(One) was aller at	
FINIANOE DEPARTMENTS DOOTS	NO	(2nd reading)
FINANCE DEPARTMENT'S POSTI	NG NAME DATE	JV #